

**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA**

| | | |
|--|---|---------------------|
| DONGGUAN JIANQUN SHOES COMPANY, LTD | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Case No.: 6:21CV48 |
| | : | |
| CONSOLIDATED SHOE COMPANY, INC., <i>et al.</i> | : | JURY TRIAL DEMANDED |
| Defendants. | : | |

Fed. R. Civ. P. 26(f) Report of the Parties

Pursuant to Fed. R. Civ. P. 26(f) and the Local Rules, Plaintiff, Dongguan Jianqun Shoes Company, LTD and Defendants, Consolidated Shoe Company, Inc., and Trade Winds Importing, LLC., jointly submit the following report:

1. Identification of Counsel participating in conference:

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Counsel for Defendants,
Consolidated Shoe Company, Inc., and
Trade Winds Importing, LLC.

2. General Nature of the Case: Breach of contract suit.

3. Date of Rule 26(f) Conference: December 2, 2021.

4. Dispositive Motions:

Defendants, Consolidated Shoe Company, Inc., and Trade Winds Importing, LLC, have filed a Motion to Dismiss which is scheduled for argument on January 7, 2022 at 10:00 a.m. At this time, no other dispositive motions are anticipated.

5. Proposed Modifications to Pretrial Order Deadlines:

The Court has granted an extension to file this Rule 26(f) Report by this Court's Order dated November 29, 2021; the above-mentioned counsel seek to amend the deadline for the Initial Disclosures in the Court's Pretrial Order to December 16, 2021. At this time, there are no other proposed modifications to the deadlines set forth in the Pretrial Order dated November 9, 2021.

6. Special Procedures Regarding Electronic Discovery:

The parties anticipate exchanging email communications relating to the course of dealing between the parties and emails relating to the specific orders referenced in Plaintiff's Complaint. The parties agree to initially produce all relevant and discoverable emails in PDF format. If necessary, either party may request to have specific emails produced in native format so that the metadata contained therein can be examined.

a. Preservation

The parties agree to preserve all relevant or potentially relevant documents and information stored electronically or otherwise.

b. Translation

This case involves both domestic and foreign entities. As such, it is anticipated that there may be emails, communications or documents originally written in Mandarin Chinese. The parties agree that any discoverable documents that contain Mandarin Chinese shall be produced in their original Mandarin Chinese format, as well as in a version translated to English.

c. Clawback Agreement

Counsel for the Parties request that this Honorable Court enter a consented Clawback Agreement in order to expeditiously comply with discovery deadlines and protect against claims of waiver in the event that privileged documents are inadvertently produced during the course of litigation. Counsel for the Parties will submit said proposed and consented Clawback Agreement to the Court in a separate filing.

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Respectfully Submitted,

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